

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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KALI WATKINS,

Plaintiff,

v.

TOWN OF WEBSTER, WEBSTER POLICE  
DEPARTMENT, JOSEPH RIEGER, ALEX  
KIRKPATRICK, GRETCHEN O'DEA, JEFFREY  
WEBSTER, WEBSTER CENTRAL SCHOOL  
DISTRICT, CARMEN GUMINA, PAUL BENZ,  
JACQUELINE GOODWINE, STEPHANIE REUSCH,  
STACEY EXNER, JOHN DOE(s) and JANE DOE(s),

Civil No.: 6:21-cv-06233-EAW

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Defendants.

### **ANSWER TO PLAINTIFF'S COMPLAINT**

Defendants Webster Central School District, Carmen Gumina, Paul Benz, Jacqueline Goodwine, Stephanie Reusch, and Stacey Exner (together "District Defendants"), by and through their attorneys, Webster Szanyi LLP, as and for their Answer to Plaintiff's Complaint, state as follows:

1. The factual allegations contained in paragraph 1 of Plaintiff's Complaint are directed to a party other than the District Defendants. To the extent the allegations in paragraph 1 require a response from the District Defendants, the District Defendants deny the allegations contained in paragraph 1 of Plaintiff's Complaint.

2. The factual allegations contained in paragraph 2 of Plaintiff's Complaint are directed to a party other than the District Defendants. To the extent the allegations in paragraph 2 require a response from the District Defendants, the District Defendants deny knowledge or information sufficient to form a belief as to the truth or

falsity of the allegations contained in paragraph 2 of Plaintiff's Complaint, and therefore deny the same.

3. Deny the allegations contained in paragraph 3 of the Complaint.

4. Deny knowledge or information sufficient to form a belief as to the truth or falsity of the allegations contained in paragraph 4 of Plaintiff's Complaint, and therefore deny the same.

5. The factual allegations contained in paragraph 5 of Plaintiff's Complaint are directed to a party other than the District Defendants. To the extent the allegations in paragraph 5 require a response from the District Defendants, the District Defendants deny knowledge or information sufficient to form a belief as to the truth or falsity of the allegations contained in paragraph 5 of Plaintiff's Complaint, and therefore deny the same.

6. The factual allegations contained in paragraph 6 of Plaintiff's Complaint are directed to a party other than the District Defendants. To the extent the allegations in paragraph 6 require a response from the District Defendants, the District Defendants deny the allegations contained in paragraph 6 of Plaintiff's Complaint.

7. The District Defendants deny that Superintendent Gumina used the full force of his position to initiate a frivolous investigation against Watkins, deny that there was any personal conflict or need for Superintendent Gumina to recuse himself, and admit the remaining allegations contained in paragraph 7 of the Complaint.

8. The District Defendants are not required to respond to paragraph 8 of Plaintiff's Complaint because the causes of action to which the allegations relate, as asserted against the District Defendants, were dismissed by the Court.

9. The factual allegations contained in paragraph 9 of Plaintiff's Complaint are directed to a party other than the District Defendants. To the extent the allegations in paragraph 9 require a response from the District Defendants, the District Defendants deny knowledge or information sufficient to form a belief as to the truth or falsity of the allegations contained in paragraph 9 of Plaintiff's Complaint, and therefore deny the same.

10. The District Defendants are not required to respond to paragraph 10 of Plaintiff's Complaint because the causes of action to which the allegations relate, as asserted against the District Defendants, were dismissed by the Court.

11. The factual allegations contained in paragraph 11 of Plaintiff's Complaint are directed to a party other than the District Defendants. To the extent the allegations in paragraph 11 require a response from the District Defendants, the District Defendants deny the allegations contained in paragraph 11 of Plaintiff's Complaint.

12. Deny knowledge or information sufficient to form a belief as to the truth or falsity of the allegations contained in paragraph 12 of Plaintiff's Complaint, and therefore deny the same.

13. The factual allegations contained in paragraph 13 of Plaintiff's Complaint are directed to a party other than the District Defendants. To the extent the allegations in paragraph 13 require a response from the District Defendants, the District Defendants deny knowledge or information sufficient to form a belief as to the truth or falsity of the allegations contained in paragraph 13 of Plaintiff's Complaint, and therefore deny the same.

14. The factual allegations contained in paragraph 14 of Plaintiff's Complaint are directed to a party other than the District Defendants. To the extent the allegations in paragraph 14 require a response from the District Defendants, the District Defendants deny knowledge or information sufficient to form a belief as to the truth or falsity of the allegations contained in paragraph 14 of Plaintiff's Complaint, and therefore deny the same.

15. The factual allegations contained in paragraph 15 of Plaintiff's Complaint are directed to a party other than the District Defendants. To the extent the allegations in paragraph 15 require a response from the District Defendants, the District Defendants deny knowledge or information sufficient to form a belief as to the truth or falsity of the allegations contained in paragraph 15 of Plaintiff's Complaint, and therefore deny the same.

16. The factual allegations contained in paragraph 16 of Plaintiff's Complaint are directed to a party other than the District Defendants. To the extent the allegations in paragraph 16 require a response from the District Defendants, the District Defendants deny knowledge or information sufficient to form a belief as to the truth or falsity of the allegations contained in paragraph 16 of Plaintiff's Complaint, and therefore deny the same.

17. The factual allegations contained in paragraph 17 of Plaintiff's Complaint are directed to a party other than the District Defendants. To the extent the allegations in paragraph 17 require a response from the District Defendants, the District Defendants deny knowledge or information sufficient to form a belief as to the truth or

falsity of the allegations contained in paragraph 17 of Plaintiff's Complaint, and therefore deny the same.

18. Admit the allegations contained in paragraph 18 of the Complaint.

19. Admit that Carmen Gumina was the Superintendent of the District during the 2018-2019 school year but deny the remaining allegations contained in paragraph 19 of the Complaint.

20. Admit that Paul Benz was the Principal of the Webster Schroeder High School employed by the District during the 2018-2019 school year but deny the remaining allegations contained in paragraph 20 of the Complaint.

21. Admit that Jacqueline Goodwine was the Assistant Principal of the Webster Schroeder High School employed by the District during the 2018-2019 school year but deny the remaining allegations contained in paragraph 21 of the Complaint.

22. Admit that Stephanie Reusch was the building school psychologist at Webster Schroeder High School employed by the District during the 2018-2019 school year, but deny the remaining allegations contained in paragraph 22 of the Complaint.

23. Admit that Stacey Exner was a school psychologist employed by the District during the 2018-2019 school year, but deny the remaining allegations contained in paragraph 23 of the Complaint.

24. Admit that Gumina, Benz, Goodwine, Reusch and Exner were employees of the District, but deny knowledge or information sufficient to form a belief as to the truth or falsity of the allegations contained in paragraph 24 of Plaintiff's Complaint, and therefore deny the same.

25. Deny knowledge or information sufficient to form a belief as to the truth or falsity of the allegations contained in paragraph 25 of Plaintiff's Complaint, and therefore deny the same.

26. Admit the allegations contained in paragraph 26 of the Complaint, but further respond that the claims against the individual defendants in their official capacities were dismissed by the Court.

27. Admit the allegations contained in paragraph 27 of the Complaint.

28. Admit the allegations contained in paragraph 28 of the Complaint.

29. Admit the allegations contained in paragraph 29 of the Complaint.

30. Admit the allegations contained in paragraph 30 of the Complaint.

31. The allegations contained in paragraph 31 of Plaintiff's Complaint call for a legal conclusion that does not require an admission or denial. To the extent a response is required, the District Defendants refer to the cited laws for their content, and further deny the allegations in paragraph 31 of the Complaint.

32. The allegations contained in paragraph 32 of Plaintiff's Complaint call for a legal conclusion that does not require an admission or denial. To the extent a response is required, the District Defendants refer to the cited laws for their content.

33. The allegations contained in paragraph 33 of Plaintiff's Complaint call for a legal conclusion that does not require an admission or denial. To the extent a response is required, the District Defendants refer to the cited laws for their content, and further deny the allegations in paragraph 33 of the Complaint.

34. The allegations contained in paragraph 34 of Plaintiff's Complaint call for a legal conclusion that does not require an admission or denial. To the extent a response is required, the District Defendants refer to the cited laws for their content, and further deny the allegations in paragraph 34 of the Complaint.

35. Admit the allegations contained in paragraph 35 of the Complaint.

36. Deny the allegations contained in paragraph 36 of the Complaint.

37. Deny knowledge or information sufficient to form a belief as to the truth or falsity of the allegations contained in paragraph 37 of Plaintiff's Complaint, and therefore deny the same.

38. Deny knowledge or information sufficient to form a belief as to the truth or falsity of the allegations contained in paragraph 38 of Plaintiff's Complaint, and therefore deny the same.

39. Deny knowledge or information sufficient to form a belief as to the truth or falsity of the allegations contained in the first sentence of paragraph 39 of Plaintiff's Complaint, and therefore deny the same. Admit the remaining allegations contained in paragraph 39 of Plaintiff's Complaint.

40. Admit the allegations contained in paragraph 40 of the Complaint.

41. Admit the allegations contained in paragraph 41 of the Complaint.

42. Deny knowledge or information sufficient to form a belief as to the truth or falsity of the allegations contained in paragraph 42 of Plaintiff's Complaint, and therefore deny the same.

43. Deny knowledge or information sufficient to form a belief as to the truth or falsity of the allegations contained in paragraph 43 of Plaintiff's Complaint, and therefore deny the same.

44. Admit the allegations contained in paragraph 44 of the Complaint.

45. Admit the allegations contained in paragraph 45 of the Complaint.

46. Deny the allegations contained in paragraph 46 of the Complaint.

47. Deny the allegations contained in paragraph 47 of the Complaint.

48. Deny the allegations contained in paragraph 48 of the Complaint.

49. Deny the allegations contained in paragraph 49 of the Complaint.

50. Deny the allegations contained in paragraph 50 of the Complaint.

51. Admit the allegations contained in paragraph 51 of the Complaint.

52. Admit the allegations contained in paragraph 52 of the Complaint.

53. Deny the allegations contained in paragraph 53 of the Complaint.

54. Deny the allegations contained in paragraph 54 of the Complaint.

55. Admit the allegations contained in paragraph 55 of the Complaint.

56. Admit the allegations contained in paragraph 56 of the Complaint.

57. Deny knowledge or information sufficient to form a belief as to the truth or falsity of the allegation that Plaintiff laughed out loud and therefore deny the same. Admit the remaining allegations contained in paragraph 57 of Plaintiff's Complaint.

58. Deny knowledge or information sufficient to form a belief as to the truth or falsity of the allegation that Plaintiff said the student was like his daughter and therefore deny the same. Admit the remaining allegations contained in paragraph 58 of Plaintiff's Complaint.



59. Deny the allegations contained in paragraph 59 of the Complaint.

60. Deny knowledge or information sufficient to form a belief as to the truth or falsity of the allegation about Plaintiff welcoming the investigation and therefore deny the same. Admit the remaining allegations contained in paragraph 60 of Plaintiff's Complaint.

61. Deny the allegations contained in paragraph 61 of the Complaint.

62. Deny the allegations contained in paragraph 62 of the Complaint.

63. Admit the allegations contained in paragraph 63 of the Complaint.

64. Deny knowledge or information sufficient to form a belief as to the truth or falsity of the allegations contained in paragraph 64 of Plaintiff's Complaint, and therefore deny the same.

65. Admit the District, through Gumina, hired a private investigator who followed and surveilled Plaintiff but deny the remaining allegations contained in paragraph 65 of Plaintiff's Complaint.

66. Deny the allegations contained in paragraph 66 of the Complaint.

67. Admit the allegations contained in paragraph 67 of the Complaint.

68. Deny the allegations contained in paragraph 68 of the Complaint.

69. Deny the allegations contained in paragraph 69 of the Complaint.

70. Deny the allegations contained in paragraph 70 of the Complaint.

71. Deny the allegations contained in paragraph 71 of the Complaint.

72. Deny the allegations contained in paragraph 72 of the Complaint.

73. Deny the allegations contained in paragraph 73 of the Complaint.

74. Deny the allegations contained in paragraph 74 of the Complaint.

75. Deny the allegations contained in paragraph 75 of the Complaint.

76. Deny the allegations contained in paragraph 76 of the Complaint.

77. Deny the allegations contained in paragraph 77 of the Complaint.

78. Deny the allegations contained in paragraph 78 of the Complaint.

79. Deny the allegations contained in paragraph 79 of the Complaint.

80. Deny the allegations contained in paragraph 80 of the Complaint.

81. Deny the allegations contained in paragraph 81 of the Complaint.

82. Deny the allegations contained in paragraph 82 of the Complaint.

83. Deny the allegations contained in paragraph 83 of the Complaint.

84. Deny knowledge or information sufficient to form a belief as to the truth or falsity of the allegations contained in paragraph 84 of Plaintiff's Complaint, and therefore deny the same.

85. Admit the allegations contained in paragraph 85 of the Complaint.

86. Admit the allegations contained in paragraph 86 of the Complaint.

87. The factual allegations contained in paragraph 87 of Plaintiff's Complaint are directed to a party other than the District Defendants. To the extent the allegations in paragraph 87 require a response from the District Defendants, the District Defendants deny the allegations contained in paragraph 87 of Plaintiff's Complaint.

88. The factual allegations contained in paragraph 88 of Plaintiff's Complaint are directed to a party other than the District Defendants. To the extent the allegations in paragraph 88 require a response from the District Defendants, the District Defendants deny knowledge or information sufficient to form a belief as to the truth or

falsity of the allegations contained in paragraph 88 of Plaintiff's Complaint, and therefore deny the same.

89. The factual allegations contained in paragraph 89 of Plaintiff's Complaint are directed to a party other than the District Defendants. To the extent the allegations in paragraph 89 require a response from the District Defendants, the District Defendants deny knowledge or information sufficient to form a belief as to the truth or falsity of the allegations contained in paragraph 89 of Plaintiff's Complaint, and therefore deny the same.

90. The factual allegations contained in paragraph 90 of Plaintiff's Complaint are directed to a party other than the District Defendants. To the extent the allegations in paragraph 90 require a response from the District Defendants, the District Defendants admit the allegations.

91. The factual allegations contained in paragraph 91 of Plaintiff's Complaint are directed to a party other than the District Defendants. To the extent the allegations in paragraph 91 require a response from the District Defendants, the District Defendants deny knowledge or information sufficient to form a belief as to the truth or falsity of the allegations contained in paragraph 91 of Plaintiff's Complaint, and therefore deny the same.

92. The factual allegations contained in paragraph 92 of Plaintiff's Complaint are directed to a party other than the District Defendants. To the extent the allegations in paragraph 92 require a response from the District Defendants, the District Defendants deny knowledge or information sufficient to form a belief as to the truth or

falsity of the allegations contained in paragraph 92 of Plaintiff's Complaint, and therefore deny the same.

93. The factual allegations contained in paragraph 93 of Plaintiff's Complaint are directed to a party other than the District Defendants. To the extent the allegations in paragraph 93 require a response from the District Defendants, the District Defendants deny knowledge or information sufficient to form a belief as to the truth or falsity of the allegations contained in paragraph 14 of Plaintiff's Complaint, and therefore deny the same.

94. The factual allegations contained in paragraph 94 of Plaintiff's Complaint are directed to a party other than the District Defendants. To the extent the allegations in paragraph 94 require a response from the District Defendants, the District Defendants deny knowledge or information sufficient to form a belief as to the truth or falsity of the allegations contained in paragraph 94 of Plaintiff's Complaint, and therefore deny the same.

95. The factual allegations contained in paragraph 95 of Plaintiff's Complaint are directed to a party other than the District Defendants. To the extent the allegations in paragraph 95 require a response from the District Defendants, the District Defendants deny knowledge or information sufficient to form a belief as to the truth or falsity of the allegations contained in paragraph 95 of Plaintiff's Complaint, and therefore deny the same.

96. The factual allegations contained in paragraph 96 of Plaintiff's Complaint are directed to a party other than the District Defendants. To the extent the allegations in paragraph 96 require a response from the District Defendants, the District

Defendants deny knowledge or information sufficient to form a belief as to the truth or falsity of the allegations contained in paragraph 96 of Plaintiff's Complaint, and therefore deny the same.

97. The factual allegations contained in paragraph 97 of Plaintiff's Complaint are directed to a party other than the District Defendants. To the extent the allegations in paragraph 97 require a response from the District Defendants, the District Defendants deny knowledge or information sufficient to form a belief as to the truth or falsity of the allegations contained in paragraph 97 of Plaintiff's Complaint, and therefore deny the same.

98. The factual allegations contained in paragraph 98 of Plaintiff's Complaint are directed to a party other than the District Defendants. To the extent the allegations in paragraph 98 require a response from the District Defendants, the District Defendants deny knowledge or information sufficient to form a belief as to the truth or falsity of the allegations contained in paragraph 98 of Plaintiff's Complaint, and therefore deny the same.

99. The factual allegations contained in paragraph 99 of Plaintiff's Complaint are directed to a party other than the District Defendants. To the extent the allegations in paragraph 99 require a response from the District Defendants, the District Defendants deny knowledge or information sufficient to form a belief as to the truth or falsity of the allegations contained in paragraph 99 of Plaintiff's Complaint, and therefore deny the same.

100. The factual allegations contained in paragraph 100 of Plaintiff's Complaint are directed to a party other than the District Defendants. To the extent the

allegations in paragraph 100 require a response from the District Defendants, the District Defendants deny knowledge or information sufficient to form a belief as to the truth or falsity of the allegations contained in paragraph 100 of Plaintiff's Complaint, and therefore deny the same.

101. The factual allegations contained in paragraph 101 of Plaintiff's Complaint are directed to a party other than the District Defendants. To the extent the allegations in paragraph 101 require a response from the District Defendants, the District Defendants deny knowledge or information sufficient to form a belief as to the truth or falsity of the allegations contained in paragraph 101 of Plaintiff's Complaint, and therefore deny the same.

102. The factual allegations contained in paragraph 102 of Plaintiff's Complaint are directed to a party other than the District Defendants. To the extent the allegations in paragraph 102 require a response from the District Defendants, the District Defendants deny knowledge or information sufficient to form a belief as to the truth or falsity of the allegations contained in paragraph 102 of Plaintiff's Complaint, and therefore deny the same.

103. The factual allegations contained in paragraph 103 of Plaintiff's Complaint are directed to a party other than the District Defendants. To the extent the allegations in paragraph 103 require a response from the District Defendants, the District Defendants deny knowledge or information sufficient to form a belief as to the truth or falsity of the allegations contained in paragraph 103 of Plaintiff's Complaint, and therefore deny the same.

104. The factual allegations contained in paragraph 104 of Plaintiff's Complaint are directed to a party other than the District Defendants. To the extent the allegations in paragraph 104 require a response from the District Defendants, the District Defendants deny knowledge or information sufficient to form a belief as to the truth or falsity of the allegations contained in paragraph 104 of Plaintiff's Complaint, and therefore deny the same.

105. The factual allegations contained in paragraph 105 of Plaintiff's Complaint are directed to a party other than the District Defendants. To the extent the allegations in paragraph 105 require a response from the District Defendants, the District Defendants deny knowledge or information sufficient to form a belief as to the truth or falsity of the allegations contained in paragraph 105 of Plaintiff's Complaint, and therefore deny the same.

106. The factual allegations contained in paragraph 106 of Plaintiff's Complaint are directed to a party other than the District Defendants. To the extent the allegations in paragraph 106 require a response from the District Defendants, the District Defendants deny knowledge or information sufficient to form a belief as to the truth or falsity of the allegations contained in paragraph 106 of Plaintiff's Complaint, and therefore deny the same.

107. The factual allegations contained in paragraph 107 of Plaintiff's Complaint are directed to a party other than the District Defendants. To the extent the allegations in paragraph 107 require a response from the District Defendants, the District Defendants deny knowledge or information sufficient to form a belief as to the truth or

falsity of the allegations contained in paragraph 107 of Plaintiff's Complaint, and therefore deny the same.

108. The factual allegations contained in paragraph 108 of Plaintiff's Complaint are directed to a party other than the District Defendants. To the extent the allegations in paragraph 108 require a response from the District Defendants, the District Defendants deny knowledge or information sufficient to form a belief as to the truth or falsity of the allegations contained in paragraph 108 of Plaintiff's Complaint, and therefore deny the same.

109. The factual allegations contained in paragraph 109 of Plaintiff's Complaint are directed to a party other than the District Defendants. To the extent the allegations in paragraph 109 require a response from the District Defendants, the District Defendants deny knowledge or information sufficient to form a belief as to the truth or falsity of the allegations contained in paragraph 109 of Plaintiff's Complaint, and therefore deny the same.

110. The factual allegations contained in paragraph 110 of Plaintiff's Complaint are directed to a party other than the District Defendants. To the extent the allegations in paragraph 110 require a response from the District Defendants, the District Defendants deny knowledge or information sufficient to form a belief as to the truth or falsity of the allegations contained in paragraph 110 of Plaintiff's Complaint, and therefore deny the same.

111. The factual allegations contained in paragraph 111 of Plaintiff's Complaint are directed to a party other than the District Defendants. To the extent the allegations in paragraph 111 require a response from the District Defendants, the District



Defendants deny knowledge or information sufficient to form a belief as to the truth or falsity of the allegations contained in paragraph 111 of Plaintiff's Complaint, and therefore deny the same.

112. The factual allegations contained in paragraph 112 of Plaintiff's Complaint are directed to a party other than the District Defendants. To the extent the allegations in paragraph 112 require a response from the District Defendants, the District Defendants deny knowledge or information sufficient to form a belief as to the truth or falsity of the allegations contained in paragraph 112 of Plaintiff's Complaint, and therefore deny the same.

113. The factual allegations contained in paragraph 113 of Plaintiff's Complaint are directed to a party other than the District Defendants. To the extent the allegations in paragraph 113 require a response from the District Defendants, the District Defendants deny knowledge or information sufficient to form a belief as to the truth or falsity of the allegations contained in paragraph 113 of Plaintiff's Complaint, and therefore deny the same.

114. The factual allegations contained in paragraph 114 of Plaintiff's Complaint are directed to a party other than the District Defendants. To the extent the allegations in paragraph 114 require a response from the District Defendants, the District Defendants deny knowledge or information sufficient to form a belief as to the truth or falsity of the allegations contained in paragraph 114 of Plaintiff's Complaint, and therefore deny the same.

115. The factual allegations contained in paragraph 115 of Plaintiff's Complaint are directed to a party other than the District Defendants. To the extent the

allegations in paragraph 115 require a response from the District Defendants, the District Defendants deny knowledge or information sufficient to form a belief as to the truth or falsity of the allegations contained in paragraph 115 of Plaintiff's Complaint, and therefore deny the same.

116. The factual allegations contained in paragraph 116 of Plaintiff's Complaint are directed to a party other than the District Defendants. To the extent the allegations in paragraph 116 require a response from the District Defendants, the District Defendants deny knowledge or information sufficient to form a belief as to the truth or falsity of the allegations contained in paragraph 116 of Plaintiff's Complaint, and therefore deny the same.

117. The factual allegations contained in paragraph 117 of Plaintiff's Complaint are directed to a party other than the District Defendants. To the extent the allegations in paragraph 117 require a response from the District Defendants, the District Defendants deny knowledge or information sufficient to form a belief as to the truth or falsity of the allegations contained in paragraph 117 of Plaintiff's Complaint, and therefore deny the same.

118. The factual allegations contained in paragraph 118 of Plaintiff's Complaint are directed to a party other than the District Defendants. To the extent the allegations in paragraph 118 require a response from the District Defendants, the District Defendants deny knowledge or information sufficient to form a belief as to the truth or falsity of the allegations contained in paragraph 118 of Plaintiff's Complaint, and therefore deny the same.

119. The factual allegations contained in paragraph 119 of Plaintiff's Complaint are directed to a party other than the District Defendants. To the extent the allegations in paragraph 119 require a response from the District Defendants, the District Defendants deny knowledge or information sufficient to form a belief as to the truth or falsity of the allegations contained in paragraph 119 of Plaintiff's Complaint, and therefore deny the same.

120. The factual allegations contained in paragraph 120 of Plaintiff's Complaint are directed to a party other than the District Defendants. To the extent the allegations in paragraph 120 require a response from the District Defendants, the District Defendants deny knowledge or information sufficient to form a belief as to the truth or falsity of the allegations contained in paragraph 120 of Plaintiff's Complaint, and therefore deny the same.

121. The factual allegations contained in paragraph 121 of Plaintiff's Complaint are directed to a party other than the District Defendants. To the extent the allegations in paragraph 121 require a response from the District Defendants, the District Defendants deny knowledge or information sufficient to form a belief as to the truth or falsity of the allegations contained in paragraph 121 of Plaintiff's Complaint, and therefore deny the same.

122. The factual allegations contained in paragraph 122 of Plaintiff's Complaint are directed to a party other than the District Defendants. To the extent the allegations in paragraph 122 require a response from the District Defendants, the District Defendants deny knowledge or information sufficient to form a belief as to the truth or

falsity of the allegations contained in paragraph 122 of Plaintiff's Complaint, and therefore deny the same.

123. The factual allegations contained in paragraph 123 of Plaintiff's Complaint are directed to a party other than the District Defendants. To the extent the allegations in paragraph 123 require a response from the District Defendants, the District Defendants deny knowledge or information sufficient to form a belief as to the truth or falsity of the allegations contained in paragraph 123 of Plaintiff's Complaint, and therefore deny the same.

124. The factual allegations contained in paragraph 124 of Plaintiff's Complaint are directed to a party other than the District Defendants. To the extent the allegations in paragraph 124 require a response from the District Defendants, the District Defendants deny knowledge or information sufficient to form a belief as to the truth or falsity of the allegations contained in paragraph 124 of Plaintiff's Complaint, and therefore deny the same.

125. The factual allegations contained in paragraph 125 of Plaintiff's Complaint are directed to a party other than the District Defendants. To the extent the allegations in paragraph 125 require a response from the District Defendants, the District Defendants deny knowledge or information sufficient to form a belief as to the truth or falsity of the allegations contained in paragraph 125 of Plaintiff's Complaint, and therefore deny the same.

126. The factual allegations contained in paragraph 126 of Plaintiff's Complaint are directed to a party other than the District Defendants. To the extent the allegations in paragraph 126 require a response from the District Defendants, the District

Defendants deny knowledge or information sufficient to form a belief as to the truth or falsity of the allegations contained in paragraph 126 of Plaintiff's Complaint, and therefore deny the same.

127. The factual allegations contained in paragraph 127 of Plaintiff's Complaint are directed to a party other than the District Defendants. To the extent the allegations in paragraph 127 require a response from the District Defendants, the District Defendants deny knowledge or information sufficient to form a belief as to the truth or falsity of the allegations contained in paragraph 127 of Plaintiff's Complaint, and therefore deny the same.

128. The factual allegations contained in paragraph 128 of Plaintiff's Complaint are directed to a party other than the District Defendants. To the extent the allegations in paragraph 128 require a response from the District Defendants, the District Defendants deny knowledge or information sufficient to form a belief as to the truth or falsity of the allegations contained in paragraph 128 of Plaintiff's Complaint, and therefore deny the same.

129. The factual allegations contained in paragraph 129 of Plaintiff's Complaint are directed to a party other than the District Defendants. To the extent the allegations in paragraph 129 require a response from the District Defendants, the District Defendants deny knowledge or information sufficient to form a belief as to the truth or falsity of the allegations contained in paragraph 129 of Plaintiff's Complaint, and therefore deny the same.

130. The factual allegations contained in paragraph 130 of Plaintiff's Complaint are directed to a party other than the District Defendants. To the extent the

allegations in paragraph 130 require a response from the District Defendants, the District Defendants deny knowledge or information sufficient to form a belief as to the truth or falsity of the allegations contained in paragraph 130 of Plaintiff's Complaint, and therefore deny the same.

131. The District Defendants are not required to respond to paragraph 131 of Plaintiff's Complaint because the causes of action to which the allegations relate, as asserted against the District Defendants, were dismissed by the Court.

132. The District Defendants are not required to respond to paragraph 132 of Plaintiff's Complaint because the causes of action to which the allegations relate, as asserted against the District Defendants, were dismissed by the Court.

133. The District Defendants are not required to respond to paragraph 133 of Plaintiff's Complaint because the causes of action to which the allegations relate, as asserted against the District Defendants, were dismissed by the Court.

134. The District Defendants are not required to respond to paragraph 134 of Plaintiff's Complaint because the causes of action to which the allegations relate, as asserted against the District Defendants, were dismissed by the Court.

135. The District Defendants are not required to respond to paragraph 135 of Plaintiff's Complaint because the causes of action to which the allegations relate, as asserted against the District Defendants, were dismissed by the Court.

136. The District Defendants are not required to respond to paragraph 136 of Plaintiff's Complaint because the causes of action to which the allegations relate, as asserted against the District Defendants, were dismissed by the Court.

137. The District Defendants are not required to respond to paragraph 137 of Plaintiff's Complaint because the causes of action to which the allegations relate, as asserted against the District Defendants, were dismissed by the Court.

138. The District Defendants are not required to respond to paragraph 138 of Plaintiff's Complaint because the causes of action to which the allegations relate, as asserted against the District Defendants, were dismissed by the Court.

139. The District Defendants are not required to respond to paragraph 139 of Plaintiff's Complaint because the causes of action to which the allegations relate, as asserted against the District Defendants, were dismissed by the Court.

140. The District Defendants are not required to respond to paragraph 140 of Plaintiff's Complaint because the causes of action to which the allegations relate, as asserted against the District Defendants, were dismissed by the Court.

141. The District Defendants are not required to respond to paragraph 141 of Plaintiff's Complaint because the causes of action to which the allegations relate, as asserted against the District Defendants, were dismissed by the Court.

142. The District Defendants are not required to respond to paragraph 142 of Plaintiff's Complaint because the causes of action to which the allegations relate, as asserted against the District Defendants, were dismissed by the Court.

143. The District Defendants are not required to respond to paragraph 143 of Plaintiff's Complaint because the causes of action to which the allegations relate, as asserted against the District Defendants, were dismissed by the Court.

144. The District Defendants are not required to respond to paragraph 144 of Plaintiff's Complaint because the causes of action to which the allegations relate, as asserted against the District Defendants, were dismissed by the Court.

145. The factual allegations contained in paragraph 145 of Plaintiff's Complaint are directed to a party other than the District Defendants. To the extent the allegations in paragraph 145 require a response from the District Defendants, the District Defendants deny knowledge or information sufficient to form a belief as to the truth or falsity of the allegations contained in paragraph 145 of Plaintiff's Complaint, and therefore deny the same.

146. The factual allegations contained in paragraph 146 of Plaintiff's Complaint are directed to a party other than the District Defendants. To the extent the allegations in paragraph 146 require a response from the District Defendants, the District Defendants deny knowledge or information sufficient to form a belief as to the truth or falsity of the allegations contained in paragraph 146 of Plaintiff's Complaint, and therefore deny the same.

147. The factual allegations contained in paragraph 147 of Plaintiff's Complaint are directed to a party other than the District Defendants. To the extent the allegations in paragraph 147 require a response from the District Defendants, the District Defendants deny knowledge or information sufficient to form a belief as to the truth or falsity of the allegations contained in paragraph 147 of Plaintiff's Complaint, and therefore deny the same.

148. The factual allegations contained in paragraph 148 of Plaintiff's Complaint are directed to a party other than the District Defendants. To the extent the



allegations in paragraph 148 require a response from the District Defendants, the District Defendants deny knowledge or information sufficient to form a belief as to the truth or falsity of the allegations contained in paragraph 148 of Plaintiff's Complaint, and therefore deny the same.

149. The factual allegations contained in paragraph 149 of Plaintiff's Complaint are directed to a party other than the District Defendants. To the extent the allegations in paragraph 149 require a response from the District Defendants, the District Defendants deny knowledge or information sufficient to form a belief as to the truth or falsity of the allegations contained in paragraph 149 of Plaintiff's Complaint, and therefore deny the same.

150. The factual allegations contained in paragraph 150 of Plaintiff's Complaint are directed to a party other than the District Defendants. To the extent the allegations in paragraph 150 require a response from the District Defendants, the District Defendants deny knowledge or information sufficient to form a belief as to the truth or falsity of the allegations contained in paragraph 150 of Plaintiff's Complaint, and therefore deny the same.

151. The factual allegations contained in paragraph 151 of Plaintiff's Complaint are directed to a party other than the District Defendants. To the extent the allegations in paragraph 151 require a response from the District Defendants, the District Defendants deny the allegations contained in paragraph 151 of Plaintiff's Complaint.

152. The factual allegations contained in paragraph 152 of Plaintiff's Complaint are directed to a party other than the District Defendants. To the extent the allegations in paragraph 152 require a response from the District Defendants, the District

Defendants deny knowledge or information sufficient to form a belief as to the truth or falsity of the allegations contained in paragraph 152 of Plaintiff's Complaint, and therefore deny the same.

153. The District Defendants are not required to respond to paragraph 153 of Plaintiff's Complaint because the causes of action to which the allegations relate, as asserted against the District Defendants, were dismissed by the Court.

154. The District Defendants are not required to respond to paragraph 154 of Plaintiff's Complaint because the causes of action to which the allegations relate, as asserted against the District Defendants, were dismissed by the Court.

155. The District Defendants are not required to respond to paragraph 155 of Plaintiff's Complaint because the causes of action to which the allegations relate, as asserted against the District Defendants, were dismissed by the Court.

156. The District Defendants are not required to respond to paragraph 156 of Plaintiff's Complaint because the causes of action to which the allegations relate, as asserted against the District Defendants, were dismissed by the Court.

157. The District Defendants are not required to respond to paragraph 157 of Plaintiff's Complaint because the causes of action to which the allegations relate, as asserted against the District Defendants, were dismissed by the Court.

158. The District Defendants are not required to respond to paragraph 158 of Plaintiff's Complaint because the causes of action to which the allegations relate, as asserted against the District Defendants, were dismissed by the Court.

159. The District Defendants are not required to respond to paragraph 159 of Plaintiff's Complaint because the causes of action to which the allegations relate, as asserted against the District Defendants, were dismissed by the Court.

160. The District Defendants are not required to respond to paragraph 160 of Plaintiff's Complaint because the causes of action to which the allegations relate, as asserted against the District Defendants, were dismissed by the Court.

161. The District Defendants are not required to respond to paragraph 161 of Plaintiff's Complaint because the causes of action to which the allegations relate, as asserted against the District Defendants, were dismissed by the Court.

162. The District Defendants are not required to respond to paragraph 162 of Plaintiff's Complaint because the causes of action to which the allegations relate, as asserted against the District Defendants, were dismissed by the Court.

163. The District Defendants are not required to respond to paragraph 163 of Plaintiff's Complaint because the causes of action to which the allegations relate, as asserted against the District Defendants, were dismissed by the Court.

164. The District Defendants are not required to respond to paragraph 164 of Plaintiff's Complaint because the causes of action to which the allegations relate, as asserted against the District Defendants, were dismissed by the Court.

165. The District Defendants are not required to respond to paragraph 165 of Plaintiff's Complaint because the causes of action to which the allegations relate, as asserted against the District Defendants, were dismissed by the Court.

166. The District Defendants are not required to respond to paragraph 166 of Plaintiff's Complaint because the causes of action to which the allegations relate, as asserted against the District Defendants, were dismissed by the Court.

167. The District Defendants are not required to respond to paragraph 167 of Plaintiff's Complaint because the causes of action to which the allegations relate, as asserted against the District Defendants, were dismissed by the Court.

168. The District Defendants are not required to respond to paragraph 168 of Plaintiff's Complaint because the causes of action to which the allegations relate, as asserted against the District Defendants, were dismissed by the Court.

169. The District Defendants are not required to respond to paragraph 169 of Plaintiff's Complaint because the causes of action to which the allegations relate, as asserted against the District Defendants, were dismissed by the Court.

170. The District Defendants are not required to respond to paragraph 170 of Plaintiff's Complaint because the causes of action to which the allegations relate, as asserted against the District Defendants, were dismissed by the Court.

171. The District Defendants are not required to respond to paragraph 171 of Plaintiff's Complaint because the causes of action to which the allegations relate, as asserted against the District Defendants, were dismissed by the Court.

172. The District Defendants are not required to respond to paragraph 172 of Plaintiff's Complaint because the causes of action to which the allegations relate, as asserted against the District Defendants, were dismissed by the Court.

173. The District Defendants are not required to respond to paragraph 173 of Plaintiff's Complaint because the causes of action to which the allegations relate, as asserted against the District Defendants, were dismissed by the Court.

174. The District Defendants are not required to respond to paragraph 174 of Plaintiff's Complaint because the causes of action to which the allegations relate, as asserted against the District Defendants, were dismissed by the Court.

175. The District Defendants are not required to respond to paragraph 175 of Plaintiff's Complaint because the causes of action to which the allegations relate, as asserted against the District Defendants, were dismissed by the Court.

176. The District Defendants are not required to respond to paragraph 176 of Plaintiff's Complaint because the causes of action to which the allegations relate, as asserted against the District Defendants, were dismissed by the Court.

177. The District Defendants are not required to respond to paragraph 177 of Plaintiff's Complaint because the causes of action to which the allegations relate, as asserted against the District Defendants, were dismissed by the Court.

178. The District Defendants are not required to respond to paragraph 178 of Plaintiff's Complaint because the causes of action to which the allegations relate, as asserted against the District Defendants, were dismissed by the Court.

179. The District Defendants are not required to respond to paragraph 179 of Plaintiff's Complaint because the causes of action to which the allegations relate, as asserted against the District Defendants, were dismissed by the Court.

180. The District Defendants are not required to respond to paragraph 180 of Plaintiff's Complaint because the causes of action to which the allegations relate, as asserted against the District Defendants, were dismissed by the Court.

181. The District Defendants are not required to respond to paragraph 181 of Plaintiff's Complaint because the causes of action to which the allegations relate, as asserted against the District Defendants, were dismissed by the Court.

182. The District Defendants are not required to respond to paragraph 182 of Plaintiff's Complaint because the causes of action to which the allegations relate, as asserted against the District Defendants, were dismissed by the Court.

183. The District Defendants are not required to respond to paragraph 183 of Plaintiff's Complaint because the causes of action to which the allegations relate, as asserted against the District Defendants, were dismissed by the Court.

184. The District Defendants are not required to respond to paragraph 184 of Plaintiff's Complaint because the causes of action to which the allegations relate, as asserted against the District Defendants, were dismissed by the Court.

185. The District Defendants reallege the responses to the allegations in paragraphs 1-184 of Plaintiff's Complaint as previously admitted or denied.

186. Admit the allegations contained in paragraph 186 of the Complaint.

187. Deny the allegations contained in paragraph 187 of the Complaint.

188. Deny that the District Defendants discriminated against Plaintiff on the basis of his race or gender.

189. Deny the allegations contained in paragraph 189 of the Complaint.

190. Deny the allegations contained in paragraph 190 of the Complaint.

191. Deny the allegations contained in paragraph 191 of the Complaint.

192. The allegations contained in paragraph 192 of Plaintiff's Complaint call for a legal conclusion that does not require an admission or denial.

193. The District Defendants are not required to respond to paragraph 193 of Plaintiff's Complaint because the causes of action to which the allegations relate, as asserted against the District Defendants, were dismissed by the Court.

194. The District Defendants are not required to respond to paragraph 194 of Plaintiff's Complaint because the causes of action to which the allegations relate, as asserted against the District Defendants, were dismissed by the Court.

195. The District Defendants are not required to respond to paragraph 195 of Plaintiff's Complaint because the causes of action to which the allegations relate, as asserted against the District Defendants, were dismissed by the Court.

196. The District Defendants are not required to respond to paragraph 196 of Plaintiff's Complaint because the causes of action to which the allegations relate, as asserted against the District Defendants, were dismissed by the Court.

197. The District Defendants are not required to respond to paragraph 197 of Plaintiff's Complaint because the causes of action to which the allegations relate, as asserted against the District Defendants, were dismissed by the Court.

198. The District Defendants are not required to respond to paragraph 198 of Plaintiff's Complaint because the causes of action to which the allegations relate, as asserted against the District Defendants, were dismissed by the Court.

199. The District Defendants are not required to respond to paragraph 199 of Plaintiff's Complaint because the causes of action to which the allegations relate, as asserted against the District Defendants, were dismissed by the Court.

200. The District Defendants are not required to respond to paragraph 200 of Plaintiff's Complaint because the causes of action to which the allegations relate, as asserted against the District Defendants, were dismissed by the Court.

201. The District Defendants are not required to respond to paragraph 201 of Plaintiff's Complaint because the causes of action to which the allegations relate, as asserted against the District Defendants, were dismissed by the Court.

202. The District Defendants are not required to respond to paragraph 202 of Plaintiff's Complaint because the causes of action to which the allegations relate, as asserted against the District Defendants, were dismissed by the Court.

203. The District Defendants are not required to respond to paragraph 203 of Plaintiff's Complaint because the causes of action to which the allegations relate, as asserted against the District Defendants, were dismissed by the Court.

204. The District Defendants are not required to respond to paragraph 204 of Plaintiff's Complaint because the causes of action to which the allegations relate, as asserted against the District Defendants, were dismissed by the Court.

205. The District Defendants are not required to respond to paragraph 205 of Plaintiff's Complaint because the causes of action to which the allegations relate, as asserted against the District Defendants, were dismissed by the Court.



206. The District Defendants are not required to respond to paragraph 206 of Plaintiff's Complaint because the causes of action to which the allegations relate, as asserted against the District Defendants, were dismissed by the Court.

207. The District Defendants are not required to respond to paragraph 207 of Plaintiff's Complaint because the causes of action to which the allegations relate, as asserted against the District Defendants, were dismissed by the Court.

208. The District Defendants are not required to respond to paragraph 208 of Plaintiff's Complaint because the causes of action to which the allegations relate, as asserted against the District Defendants, were dismissed by the Court.

209. The District Defendants are not required to respond to paragraph 209 of Plaintiff's Complaint because the causes of action to which the allegations relate, as asserted against the District Defendants, were dismissed by the Court.

210. The District Defendants are not required to respond to paragraph 210 of Plaintiff's Complaint because the causes of action to which the allegations relate, as asserted against the District Defendants, were dismissed by the Court.

211. The District Defendants are not required to respond to paragraph 211 of Plaintiff's Complaint because the causes of action to which the allegations relate, as asserted against the District Defendants, were dismissed by the Court.

212. The District Defendants are not required to respond to paragraph 212 of Plaintiff's Complaint because the causes of action to which the allegations relate, as asserted against the District Defendants, were dismissed by the Court.

213. The District Defendants are not required to respond to paragraph 213 of Plaintiff's Complaint because the causes of action to which the allegations relate, as asserted against the District Defendants, were dismissed by the Court.

214. The District Defendants are not required to respond to paragraph 214 of Plaintiff's Complaint because the causes of action to which the allegations relate, as asserted against the District Defendants, were dismissed by the Court.

215. The District Defendants are not required to respond to paragraph 215 of Plaintiff's Complaint because the causes of action to which the allegations relate, as asserted against the District Defendants, were dismissed by the Court.

216. The District Defendants are not required to respond to paragraph 216 of Plaintiff's Complaint because the causes of action to which the allegations relate, as asserted against the District Defendants, were dismissed by the Court.

217. The District Defendants are not required to respond to paragraph 217 of Plaintiff's Complaint because the causes of action to which the allegations relate, as asserted against the District Defendants, were dismissed by the Court.

218. The District Defendants are not required to respond to paragraph 218 of Plaintiff's Complaint because the causes of action to which the allegations relate, as asserted against the District Defendants, were dismissed by the Court.

219. The District Defendants are not required to respond to paragraph 219 of Plaintiff's Complaint because the causes of action to which the allegations relate, as asserted against the District Defendants, were dismissed by the Court.

220. The District Defendants are not required to respond to paragraph 220 of Plaintiff's Complaint because the causes of action to which the allegations relate, as asserted against the District Defendants, were dismissed by the Court.

221. The District Defendants are not required to respond to paragraph 221 of Plaintiff's Complaint because the causes of action to which the allegations relate, as asserted against the District Defendants, were dismissed by the Court.

222. The District Defendants are not required to respond to paragraph 222 of Plaintiff's Complaint because the causes of action to which the allegations relate, as asserted against the District Defendants, were dismissed by the Court.

223. The District Defendants reallege the responses to the allegations in paragraphs 1-222 of Plaintiff's Complaint as previously admitted or denied.

224. The allegations contained in paragraph 224 of Plaintiff's Complaint call for a legal conclusion that does not require an admission or denial. To the extent a response is required, the District Defendants refer to the cited laws for their content, and further deny the allegations in paragraph 224 of the Complaint.

225. The allegations contained in paragraph 225 of Plaintiff's Complaint call for a legal conclusion that does not require an admission or denial. To the extent a response is required, the District Defendants refer to the cited laws for their content, and further deny the allegations in paragraph 225 of the Complaint.

226. Deny the allegations contained in paragraph 226 of the Complaint to the extent this allegation is directed to the School District Defendants. The remaining factual allegations contained in paragraph 226 of Plaintiff's Complaint are directed to a party other than the District Defendants.

227. Deny the allegations contained in paragraph 227 of the Complaint to the extent this allegation is directed to the School District Defendants. The remaining factual allegations contained in paragraph 227 of Plaintiff's Complaint are directed to a party other than the District Defendants.

228. Deny the allegations contained in paragraph 228 of the Complaint to the extent this allegation is directed to the School District Defendants. The remaining factual allegations contained in paragraph 228 of Plaintiff's Complaint are directed to a party other than the District Defendants.

229. Denies the "Wherefore" Paragraph and all subparts thereof in the Plaintiff's Complaint, in their entirety.

#### **FIRST AFFIRMATIVE DEFENSE**

230. Plaintiff's Complaint, in whole or in part, fails to state a cause of action upon which relief can be granted.

#### **SECOND AFFIRMATIVE DEFENSE**

231. Plaintiff's claims fail because the District Defendants did not have legally adequate notice of the alleged discriminatory conduct set forth in the Complaint.

#### **THIRD AFFIRMATIVE DEFENSE**

232. All decisions affecting Plaintiff's employment, including his termination, were made for legitimate, non-discriminatory reasons.

#### **FOURTH AFFIRMATIVE DEFENSE**

233. Plaintiff's failure to report all of the alleged discrimination and harassment precludes his recovery.

**FIFTH AFFIRMATIVE DEFENSE**

234. If Plaintiff has been damaged as alleged in the Complaint, said damages were caused in whole or in part by the conduct of persons or entities other than the District Defendants over which the District Defendants had no authority, control or right of control and for which they are not responsible.

**SIXTH AFFIRMATIVE DEFENSE**

235. The District Defendants were not the proximate cause of Plaintiff's injuries or damages.

**SEVENTH AFFIRMATIVE DEFENSE**

236. At all relevant times, the District Defendants exercised due care with respect to their activities, took reasonable precautions against foreseeable acts or omissions of others, and acted in accordance with applicable and valid procedures, policies, standards, laws, and regulations.

**EIGHTH AFFIRMATIVE DEFENSE**

237. Plaintiff failed to properly serve the Defendants.

**NINTH AFFIRMATIVE DEFENSE**

238. The Plaintiff failed to name a necessary and/or indispensable party.

**TENTH AFFIRMATIVE DEFENSE**

239. Plaintiff's claims are barred by the applicable statute of limitations.

**ELEVENTH AFFIRMATIVE DEFENSE**

240. To the extent Plaintiff has suffered any damages, his claim may nonetheless be barred in whole or in part to the extent that he failed to mitigate his damages.

**TWELFTH AFFIRMATIVE DEFENSE**

241. To the extent Plaintiff has sued the Individual Defendants in their individual capacities, said Defendants were at all times performing discretionary functions within their official capacities, and their conduct, to the extent it occurred as alleged, which is herein expressly denied, did not violate clearly established rights of which a reasonable person would have known. It was objectively reasonable for them to believe that their acts were lawful and did not violate clearly established rights. Therefore, the Individual Defendants are entitled to qualified immunity.

**THIRTEENTH AFFIRMATIVE DEFENSE**

242. The Individual Defendants, and each of them, denies personal involvement in the alleged wrongdoing.

**FOURTEENTH AFFIRMATIVE DEFENSE**

243. All actions alleged were taken in good faith and pursuant to the duties and obligations of each Defendant's responsibilities as an employee of the District and were taken without malice or ill will.

**FIFTEENTH AFFIRMATIVE DEFENSE**

244. Neither Plaintiff's race nor gender were the but-for cause of any adverse action allegedly taken by the District.

**SIXTEENTH AFFIRMATIVE DEFENSE**

245. Plaintiff fails to identify any similarly situated individuals from whom he was treated differently.

**SEVENTEENTH AFFIRMATIVE DEFENSE**

246. Plaintiff's claim is barred by his failure to comply with conditions precedent, including as set forth in N.Y. Gen. Mun. Law 50-e.

**EIGHTEENTH AFFIRMATIVE DEFENSE**

247. The District Defendants hereby give notice that they intend to rely upon such other and further defenses as may become available or apparent during pre-trial proceedings in this case and hereby reserves the right to amend this pleading and assert such defenses.

**DEMAND FOR JURY TRIAL**

**WHEREFORE**, Defendants respectfully request judgment dismissing the Complaint together with an award of costs, disbursements, attorneys' fees and such further relief as the Court deems proper.

Dated: May 2, 2022

**WEBSTER SZANYI LLP**  
Attorneys for District Defendants

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